

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

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IN RE YASMIN AND YAZ (DROSPIRENONE)	: 3:09-md-02100-DRH-PMF
MARKETING, SALES PRACTICES AND	: MDL No. 2100
RELEVANT PRODUCTS LIABILITY	:
LITIGATION	:
-----	: Judge David R. Herndon

**This Document Relates to: ORDER**

**Patton v. Bayer HealthCare Pharmaceuticals,  
Inc., et al. No. 3:10-cv-10267-DRH-PMF**

**Varney v. Bayer HealthCare  
Pharmaceuticals, Inc., et al. No. 3:10-cv-  
11562-DRH-PMF**

**Simon v. Bayer HealthCare Pharmaceuticals,  
Inc., et al., No. 3:10-cv-11714-DRH-PMF**

**ORDER**

**HERNDON, Chief Judge:**

This matter comes before the Court on Movants’ motions to withdraw as counsel of record and/or to substitute counsel in the above captioned actions. After considering Movants’ motions the Court finds that the requirements of Local Rule 83.1 and of the applicable provisions of the Rules of Professional Conduct

pertaining to withdrawal of counsel have been satisfied. The Court therefore **ORDERS** as follows:

**I. Patton v. Bayer HealthCare Pharms., Inc., et al. No. 3:10-cv-10267-DRH-PMF**

The law firm of Milberg LLP and Jeffrey R. Messinger move for leave to withdraw as counsel of record for Plaintiff Chasity Patton (Doc. 19). The motion is **GRANTED** and the law firm of Milberg LLP and Jeffrey R. Messinger are terminated as Plaintiff's counsel in this matter.

**Further:**

1. The Court directs Movant to serve a copy of this order of withdrawal within 7 days upon all counsel of record and upon unrepresented parties as required by Local Rule 83.1.
2. The Court granted Defendants' motion to dismiss for failure to comply with Plaintiff Fact Sheet Requirements on November 18, 2010 (Doc. 14).

Accordingly, there is no need to provide any extension with regard to the deadline for compliance with the Plaintiff Fact Sheet requirements.

**II. Varney v. Bayer HealthCare Pharmaceuticals, Inc., et al. No. 3:10-cv-11562-DRH-PMF**

The law firm of Onder, Shelton, O'Leary & Peterson, LLC, through Michael S. Kruse move for leave to withdraw as counsel of record for Plaintiff

Sonya M. Varney (Doc. 6). The motion is **GRANTED** and Onder, Shelton, O'Leary & Peterson, LLC, and Michael S. Kruse are terminated as Plaintiff's counsel in this matter.

**Further:**

1. The Court directs Movants to serve a copy of this order of withdrawal within 7 days upon all counsel of record and upon unrepresented parties as required by Local Rule 83.1.
2. **Supplementary Entry of Appearance:** Should Plaintiff choose to continue pursuing this action, Plaintiff or her new counsel **must file a supplementary entry of appearance within 21 days of the entry of this Order,**
3. **Plaintiff Fact Sheet Extension:** If Plaintiff or her new counsel timely files a supplementary entry of appearance she will be given 45 days from the entry of her or her new counsel's appearance to serve her Plaintiff Fact Sheet, pursuant to Case Management Order #12. If Plaintiff or her new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, Plaintiff's action will be subject to dismissal without prejudice for failure to comply with this Order and with her Plaintiff Fact Sheet requirements.

**III. Simon v. Bayer HealthCare Pharmaceuticals, Inc., et al., No. 3:10-cv-11714**

The law firm of Onder, Shelton, O'Leary & Peterson, LLC, through Michael S. Kruse move for leave to withdraw as counsel of record for Plaintiff Lakisha Simon (Doc. 6) The motion is **GRANTED** and Onder, Shelton, O'Leary & Peterson, LLC, and Michael S. Kruse are terminated as Plaintiff's counsel in this matter.

**Further:**

1. The Court directs Movants to serve a copy of this order of withdrawal within 7 days upon all counsel of record and upon unrepresented parties as required by Local Rule 83.1.
2. **Supplementary Entry of Appearance:** Should Plaintiff choose to continue pursuing this action, Plaintiff or her new counsel **must file a supplementary entry of appearance within 21 days of the entry of this Order,**
3. **Plaintiff Fact Sheet Extension:** If Plaintiff or her new counsel timely files a supplementary entry of appearance she will be given 45 days from the entry of her or her new counsel's appearance to serve her Plaintiff Fact Sheet, pursuant to Case Management Order #12. If Plaintiff or her new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, Plaintiff's action will be subject to dismissal without prejudice for failure to comply with this Order and with her Plaintiff Fact Sheet requirements.

**IV. McDonald v. Bayer HealthCare Pharmaceuticals, Inc., et al., No. 3:10-cv-12151-DRH-PMF**

The law firm of Onder, Shelton, O'Leary & Peterson, LLC, through Michael S. Kruse move for leave to withdraw as counsel of record for Plaintiff Vonnie McDonald (Doc. 6) The motion is **GRANTED** and Onder, Shelton, O'Leary & Peterson, LLC, and Michael S. Kruse are terminated as Plaintiff's counsel in this matter.

**Further:**

1. The Court directs Movants to serve a copy of this order of withdrawal within 7 days upon all counsel of record and upon unrepresented parties as required by Local Rule 83.1.
2. **Supplementary Entry of Appearance:** Should Plaintiff choose to continue pursuing this action, Plaintiff or her new counsel **must file a supplementary entry of appearance within 21 days of the entry of this Order,**
3. **Plaintiff Fact Sheet Extension:** If Plaintiff or her new counsel timely files a supplementary entry of appearance she will be given 45 days from the entry of her or her new counsel's appearance to serve her Plaintiff Fact Sheet, pursuant to Case Management Order #12. If Plaintiff or her new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, Plaintiff's action will be subject to dismissal without

prejudice for failure to comply with this Order and with her Plaintiff Fact Sheet requirements.

**SO ORDERED:**

  David R. Herndon  
2011.01.10  
17:38:55 -06'00'

**Chief Judge  
United States District**

**Date: January 10, 2011**